

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

NORTHSHORE INVESTORS, LLC, a  
Washington limited liability company, and  
NORTH SHORE GOLF ASSOCIATES, INC.,  
a Washington corporation,

Plaintiffs,

v.

The CITY OF TACOMA, a Washington  
municipal corporation,

Defendant.

Case No. C07-5629BHS

STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE

**[Clerk's Action Required]**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties hereby stipulate to the dismissal of Plaintiffs' Amended Complaint for Damages Pursuant to RCW 64.40 *et seq.*, 42 U.S.C. § 1983 and Tortious Interference (Amended Complaint) *without prejudice*. Each party is to bear its own costs.

DATED this \_\_\_\_ day of February, 2009.

SCHWABE, WILLIAMSON &  
WYATT, P.C.

GORDON DERR, LLP

By: \_\_\_\_\_  
Aaron M. Laing, WSBA #34453  
Matthew A. Turetsky, WSBA #23611  
*Attorneys for Plaintiff Northshore  
Investors, LLC*

By: \_\_\_\_\_  
Jay P. Derr, WSBA #12620  
Dale N. Johnson, WSBA #26629  
*Attorneys for Defendant City of Tacoma*

STIPULATION AND ORDER FOR DISMISSAL  
WITHOUT PREJUDICE - 1

1 TOUSLEY BRAIN STEPHENS, PLLC

2  
3 By: \_\_\_\_\_  
4 Christopher I. Brain, WSBA #5054  
5 Paul W. Moomaw, WSBA #32728  
6 *Attorneys for Plaintiff North Shore Golf*  
7 *Associates, Inc.*

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**ORDER OF DISMISSAL**

THIS MATTER having come on before the Court by stipulation of the parties, and the Court having reviewed the stipulation and the file, and being fully advised herein, now, therefore,

IT IS HEREBY ORDERED that Plaintiff's Amended Complaint and all claims asserted therein in this matter are dismissed *without prejudice* and without costs to any party.

DATED this 27th day of February, 2009.



BENJAMIN H. SETTLE  
United States District Judge

Presented by:  
SCHWABE, WILLIAMSON & WYATT, P.C.

By: \_\_\_\_\_  
Aaron M. Laing, WSBA #34453  
Matthew A. Turetsky, WSBA #23611  
*Attorneys for Plaintiff Northshore*  
*Investors, LLC*

STIPULATION AND ORDER FOR DISMISSAL  
WITHOUT PREJUDICE - 2

PDX/117426/155180/AAL/3318905.1

SCHWABE, WILLIAMSON & WYATT, P.C.  
Attorneys at Law  
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2 Approved as to form; Notice of presentation waived:

3 TOUSLEY BRAIN STEPHENS, PLLC  
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5 By: \_\_\_\_\_  
6 Christopher I. Brain, WSBA #5054  
7 Paul W. Moomaw, WSBA #32728  
8 *Attorneys for Plaintiff North Shore Golf*  
9 *Associates, Inc.*

10  
11 GORDON DERR, LLP

12 By: \_\_\_\_\_  
13 Jay P. Derr, WSBA #12620  
14 Dale N. Johnson, WSBA #26629  
15 *Attorneys for Defendant City of Tacoma*  
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STIPULATION AND ORDER FOR DISMISSAL  
WITHOUT PREJUDICE - 3

PDX/117426/155180/AAL/3318905.1

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2 **CERTIFICATE OF SERVICE**

3 I hereby certify that on the 17th day of February, 2009, I caused to be served the  
4 foregoing *STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE* on the  
5 following parties at the following addresses:

6 **Via Mail and Electronic Service:**

7 Jay P. Derr, WSBA #12620  
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12 by:

- 13 ☐ U.S. Postal Service, ordinary first class mail  
14 ☐ Via Messenger  
15 ☐ facsimile  
16 ☒ electronic service

17 \_\_\_\_\_  
18 B. Eileen Brousseau  
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